

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/681,405	WELLAND ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Tilahun B. Gesesse	2684	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to 4/21/05.
2. ☒ The allowed claim(s) is/are 3-26.
3. ☒ The drawings filed on 08 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date <u>10/8/03 &amp; 11/24/03</u></li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
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## **DETAILED ACTION**

### **Status of claims**

1. This is in response to applicant's amendment and argument filed April 21, 2005, in which claims 1-2 have been deleted and claims 3-26 are pending.

After further search and thorough examination of the present application and in view of applicant's argument, claims 3 through 26 are found to be in condition for allowance.

### ***Allowable Subject Matter***

2. The following is an examiner's statement of reasons for allowance: the prior art Madin (US 5686864) discloses phase locked loop circuitry (104) for generating an output signal at a variable output frequency (figure 1 and 5), a controllable oscillator (12,502) having an output signal at an output frequency dependent upon a plurality of different analog control signals, the single of different analog control signals being received by the controllable oscillator as different frequency control input signals such that at least some of the plurality of control signals are configured to individually control the controllable oscillator without being combined with others of the plurality of control signals (see column 1 line 63-column 3, line 30 and column 5, line 42-column 6, line 8 and figures 1 and 5) and phase difference control circuit configured to concurrently provide the plurality of different analog control signals as outputs, the plurality of different analog control signals being generated from a phase difference between at least two input signals (see figures 1 and 5 and column 1 line 68-column 2 line 20), wherein the controllable oscillator comprises a plurality of non-varactor diode

capacitance circuits connected in parallel to contribute a combined capacitance amount that determines at least in part the output frequency of the controllable oscillator, the single of different analog control signals from the phase difference control circuitry being coupled to control the amount of capacitance contributed by the plurality of capacitance circuits (column 5, line 59-column 6, line 8 and figure 6).

On the other hand, the present application specifically teaches a sample and hold circuit coupled to sample each of the plurality of different analog output signals from the phase detector and to hold a plurality of different sampled analog output signals, the plurality of different sampled analog output signals from the sample and hold circuit being used to provide the plurality of different analog control signals for the controllable oscillator. These limitations in conjunction with all other limitations of the independent claims have not been disclosed , taught or made obvious over the prior art of record. And see applicant's argument filed page 8, second paragraph through page 9, fourth paragraph.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flex.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-2738300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
TILAHUN GESESSE  
PRIMARY EXAMINER